



GEORGIA M. PESTANA  
Corporation Counsel

**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NEW YORK 10007

**SOO-YOUNG SHIN**  
Senior Counsel  
Phone: (212) 356-2329  
soshin@law.nyc.gov

December 8, 2021

Honorable Alison J. Nathan via ECF  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2102  
New York, NY 10007

Re: Edward Guillen v. City of New York, et al.  
19 Civ. 5655 (AJN) (OTW)

Your Honor:

I am the attorney representing defendants in the above-referenced matter. I write to respectfully request that defendants' October 25, 2021 motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure be deemed unopposed and fully briefed.

By Order dated September 28, 2021 the following briefing schedule was set by the Court:

- Motions due by October 25, 2021.
- Responses due by November 24, 2021.
- Replies due by December 8, 2021. Dkt. Entry No. 79 and Dkt. Entry dated September 28, 2021.

Defendants timely filed their motion for summary judgment on October 25, 2021. Dkt. Entry Nos. 80-83. To date, plaintiff has failed to serve or file an opposition to the motion for summary judgment. Nor has plaintiff requested from defendants or the Court an enlargement of time to file such an opposition. Defendants' reply is due today, as such, in lieu of the reply, defendants are informing the Court of the failure of plaintiff to oppose defendants' motion for summary judgment, and respectfully requesting that the defendants' October 25, 2021 motion for summary judgment be deemed unopposed and fully briefed.

SO ORDERED.

Thank you for your consideration.

Respectfully submitted,

12/10/21

Soo-Young Shin /s/

Soo-Young Shin

*Senior Counsel*

cc: **BY ECF**  
Samuel C. DePaola  
Sameer Nath  
Sim & DePaola, LLP  
*Attorneys for Plaintiff*